

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Cushaw Banacek Barnett

v.

Civil No. 13-cv-39-JL

Unknown Federal Marshals

**ORDER GRANTING MOTION TO PROCEED**  
**IN FORMA PAUPERIS**

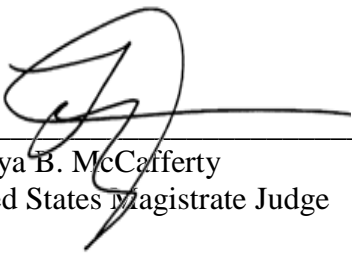
The plaintiff, an inmate at Williamsburg FCI (“Institution”), has filed a motion to proceed *in forma pauperis* in the above-captioned case, which is accompanied by a certificate signed by an authorized individual from the Institution. The attachment to the certificate evidences that over the last six months, the plaintiff’s average deposits have been \$0 and the plaintiff’s average monthly balance has been \$.08 (doc. no. 9, at 3). Plaintiff has also submitted a signed consent form indicating consent to permit inmate accounts to make court-ordered payments on his behalf.

The motion to proceed *in forma pauperis* is GRANTED. While 28 U.S.C. § 1915(b)(1) requires the court assess an initial filing fee, given the plaintiff’s current balance there shall be no initial filing fee assessed. In addition, monthly payments of 20% of each preceding month’s income credited to the plaintiff’s account shall be remitted by the Institution when the amount in the account exceeds \$10.00 until the sum of \$350.00 has been paid. 28 U.S.C. § 1915(b)(2).

The monthly payments as outlined above, shall be forwarded to the Clerk of Court by the Institution in accordance with this Order. A copy of this Order, along with a copy of the signed

Prisoner Consent Form (doc. no. 6), shall be forwarded by the Court to the Institutions inmate account department.

SO ORDERED.



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Landya B. McCafferty  
United States Magistrate Judge

Dated: May 9, 2013

cc: Cushaw Banacek Barnett, pro se  
Williamsburg FCI Inmate Accounts